

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

---

In re Letters Patent of:  
John C. Harvey *et al.*

Patent No.: 7,747,217

Issued: June 29, 2010

For: SIGNAL PROCESSING APPARATUS AND  
METHODS

---

Commissioner for Patents  
Office of Patent Publication  
Attention: Certificate of Correction Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CERTIFICATE OF CORRECTION UNDER 37 C.F.R. §1.322**

Dear Sir:

Upon reviewing the above-identified patent, Patentee noted typographical errors which should be corrected. The claims of the issued patent do not reflect the Examiner's Amendment contained in the February 25, 2010 Notice of Allowance (Exhibit A) or the March 8, 2010 Examiner's Amendment Communication (Exhibit B).

In claim 16, column 288, line 57, insert "by:" such that the phrase reads "of said plurality of media by:" Claim 16 was originally claim 26. On page 11 of the Examiner's Amendment, "by:" is correctly inserted in claim 26.

In claim 34, column 291, line 20, delete "for storing." Claim 34 was originally claim 41. On page 16 of the Examiner's Amendment, "for storing" was replaced with "that stores" in claim 41.

In claim 35, column 291, line 24, delete "for causing." Claim 35 was originally claim 42. On page 17 of the Examiner's Amendment, "for causing" was replaced with "that causes" in claim 42.

In claim 38, column 291, line 38, delete “including.” Claim 38 was originally claim 70. On page 17 of the Examiner’s Amendment, “including” was replaced with “includes” in claim 70.

Applicants did not make the aforementioned errors. The claims were last amended via an Examiner’s Amendment contained in the February 25, 2010 Notice of Allowance and the March 8, 2010 Examiner’s Amendment Communication. No further amendments were submitted by Patentee or issued by the Examiner. Patent 7,747,217 issued on June 29, 2010, and contains the aforementioned typographical errors.

Accordingly, Patentee believes that the aforementioned errors were caused by the Office and that no fee is due for the Certificate of Correction. However, if any fees are required, the Director is hereby authorized to charge any fees to our Deposit Account No. 50-4494.

Transmitted herewith is a proposed Certificate of Correction effecting such amendment. Patentee respectfully solicits the granting of the requested Certificate of Correction.

Dated: December XX, 2010

Respectfully submitted,

By /Thomas J. Scott, Jr./  
Thomas J. Scott, Jr.

Registration No.: 27,836  
GOODWIN PROCTER LLP  
901 New York Avenue, NW  
Washington, DC 20001  
(202) 346-4000  
Attorney for Patentee

**EXHIBIT A.**



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P O Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

## NOTICE OF ALLOWANCE AND FEE(S) DUE

70813 7590 02/25/2010

GOODWIN PROCTER LLP  
901 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20001

EXAMINER

PAPPAS, PETER-ANTHONY

ART UNIT

PAPER NUMBER

2628

DATE MAILED: 02/25/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

08/487,526

06/07/1995

JOHN C. HARVEY

PMC-003 C201

7792

TITLE OF INVENTION: SIGNAL PROCESSING APPARATUS AND METHODS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$0	\$0	\$1510	05/25/2010

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

## HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail**

**Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
or Fax (571)-273-2885**

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

70813 7590 02/25/2010

**GOODWIN PROCTER LLP  
901 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20001**

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE-FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/487,526	06/07/1995	JOHN C. HARVEY	PMC-003 C201	7792

**TITLE OF INVENTION: SIGNAL PROCESSING APPARATUS AND METHODS**

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$0	\$0	\$1510	05/25/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
PAPPAS, PETER-ANTHONY	2628	455-039000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/147; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

1

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

2

3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee  
☐ Publication Fee (No small entity discount permitted)  
☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_ Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P O Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

08/487,526

06/07/1995

JOHN C. HARVEY

PMC-003 C201

7792

70813

7590

02/25/2010

GOODWIN PROCTER LLP  
901 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20001

EXAMINER

PAPPAS, PETER-ANTHONY

ART UNIT

PAPER NUMBER

2628

DATE MAILED: 02/25/2010

## Determination of Patent Term Extension or Adjustment under 35 U.S.C. 154 (b) (application filed prior to June 8, 1995)

This patent application was filed prior to June 8, 1995, thus no Patent Term Extension or Adjustment applies.

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

**Notice of Allowability****Application No.**

08/487,526

**Applicant(s)**

HARVEY ET AL.

**Examiner**

PETER-ANTHONY PAPPAS

**Art Unit**

2628

**- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERIT IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/14/10.
2. ☒ The allowed claim(s) is/are 2,5,6,8-10,15-18,20,21,23-27,29,33,34,36-42,67,69-71,73-76,78,79,81,82,84,85,87,89-91,93-97,99-102,105 and 106.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of the:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).  
\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.  
**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 2/14/10.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

/Peter-Anthony Pappas/  
Primary Examiner, Art Unit 2628







## UNITED STATES DEPARTMENT OF COMMERCE

**U.S. Patent and Trademark Office**

Address : COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
08487526	6/7/95	HARVEY ET AL.	PMC-003 C201

GOODWIN PROCTER LLP  
901 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20001

**EXAMINER**

PETER-ANTHONY PAPPAS

ART UNIT	PAPER
----------	-------

2628

20100214

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

It is noted that for each NPL document, listed on the respective PTO-1449 forms filed in the instant application, with no date information a "no date" annotation has been assigned by the examiner to each as the date information was not readily obtainable.

/Peter-Anthony Pappas/  
Primary Examiner, Art Unit 2628

### EXAMINER'S AMENDMENT

1. A double patenting administrative requirement is not being required by the examiner in the instant application since the examiner has independently conducted a double patenting analysis of the claims in the instant application.

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Carl L. Benson on 2/14/10.

The application has been amended as follows: see the attached claims.

3. Claims 2, 5, 6, 8-10, 15-18, 20, 21, 23-27, 29, 33, 34, 36-42, 67, 69-71, 73-76, 78, 79, 81, 82, 84, 85, 87, 89-91, 93-97, 99-102, 105 and 106 are allowed. In regard to said claims the prior art of record fails to teach or suggest the respective claim limitations when considered as a whole and when read in light of the following interpretations disclosed by the Board of Patent Appeals and Interferences in the 1/13/09 decision:

- **medium** – a channel of communication such as radio, television, newspaper, book or Internet (p. 23).
- **signal** – a detectable physical quantity or impulse by which messages or information can be transmitted. For example, the physical phenomena carrying the medium information, such as radio or television signals (p. 23).

Art Unit: 2628

- **content** – substance, gist, meaning, or significance (p. 26).
- **identifying/determining content** – requires some ascertaining or recognizing the content, but this is not limited to machine recognition. This could be an identifier that is associated with a particular television program such as “Wall Street Week.” The identifier is just a number that has an association with the program and does not have to be human readable text (p. 26). Corresponds to recognizing an identifier associated with a program (p. 151).
- **presentation using said information** – does not require display of the information itself but only “use” of the information (p. 67).
- **content of a medium** – information in or describing the medium, such as the identity of the program, and words, sound, and images in the medium (p. 26). Says something about the substance of the media (p. 87).

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PETER-ANTHONY PAPPAS whose telephone number is (571) 272-7646. The examiner can normally be reached on M-F 9:00AM-5:30PM.

Art Unit: 2628

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ulka Chauhan can be reached on 571-272-7782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Peter-Anthony Pappas/  
Primary Examiner, Art Unit 2628

Art Unit: 2628

This listing of claims will replace all prior versions and listings of claims in the application:

LISTING OF CLAIMS:

1. (Canceled)

2. (Currently amended) A method of outputting a multimedia presentation at a receiver station adapted to receive a plurality of signals, said method comprising the steps of:

receiving said plurality of signals including at least two media which include a first medium received in a digital data channel from a source external to said receiver station;

storing information from said first medium in a storage medium at a computer at said receiver station;

determining content, through use of processor instructions resident on said computer at said receiver station, of ~~a second~~ each medium received after said first medium in said plurality of signals, wherein determining content of each medium comprises:

processing an identifier which identifies said content of each of said medium;

comparing said processed identifier to a predetermined identifier, wherein said predetermined identifier is determined at a time prior to receiving said plurality of signals;

coordinating, through use of processor instructions resident on said computer at said receiver station, a presentation using said information with a presentation of ~~said second~~ a medium comprising an identifier that matches said predetermined identifier based on said step of determining content; and

outputting and displaying said multimedia presentation to a user at said receiver station based on said step of coordinating such that said presentation using said information has a predetermined relationship to said content of said ~~second~~ medium comprising an identifier that matches said predetermined identifier and said content of said ~~second~~ medium comprising an identifier that matches said predetermined identifier explains a significance of said presentation using said information.

3. (Canceled)

4. (Canceled)

5. (Previously presented) The method of claim 2, wherein each of said plurality of signals is received from an external transmitter station.

6. (Previously presented) The method of claim 5, wherein said external transmitter station is an intermediate transmitter station.

7. (Canceled)

8. (Currently amended) The method of claim 2, wherein said content of said ~~second~~ medium comprising an identifier that matches said predetermined identifier explains said significance in audio.

Art Unit: 2628

9. (Previously presented) The method of claim 8, wherein said determining step causes a tuner at said receiver station to communicate said audio to an audio output device.

10. (Currently amended) The method of claim 9, wherein said ~~second~~ medium comprising an identifier that matches said predetermined identifier comprises television, including video and said audio.

11. – 14. (Canceled)

15. (Currently amended) The method of claim 44 2, wherein said content of said ~~second~~ medium comprising an identifier that matches said predetermined identifier includes audio.

16. (Currently amended) The method of claim 44 2, wherein said content of said ~~second~~ medium comprising an identifier that matches said predetermined identifier includes video.

17. (Currently amended) The method of claim 2, further comprising the step of storing said ~~second~~ medium comprising an identifier that matches said predetermined identifier at said receiver station.

18. (Currently amended) The method of claim 17, wherein said ~~second~~ medium comprising an identifier that matches said predetermined identifier comprises television including video and audio and wherein said digital data channel is of a multichannel cable transmission including said ~~second~~ medium comprising an identifier that matches said predetermined identifier.

19. (Canceled)

20. (Currently amended) A method of outputting a multimedia presentation at a receiver station adapted to process a plurality of signals, said plurality of signals including first and second media of said multimedia presentation, said method comprising the steps of:

receiving a ~~first subset~~ of said plurality of signals from a source external to said receiver station, each signal of said ~~first subset~~ of said plurality of signals including an identifier, wherein said subset of said plurality of signals comprises a plurality of said plurality of signals;

~~processing said first of said plurality of signals to provide said first medium of said multimedia presentation and said identifier;~~

receiving said second medium in a digital data channel from a source external to said receiver station, wherein said second medium is not included in said subset of said plurality of signals;

controlling a microcomputer at said receiver station, through execution of processor instructions, to;

identify process each identifier of each signal of said subset of said plurality of signals.

compare each processed identifier to a predetermined identifier, wherein said predetermined identifier is determined at a time prior to receiving said plurality of signals and identifies content of said first medium based on said identifier,



process only a signal of said subset of said plurality of signals that includes an identifier that matches said predetermined identifier to provide said first medium of said multimedia presentation,

identify content of said second medium,  
generate information based on said second medium based on  
identifying said content of said second medium, and

coordinate presentation of said first medium and said information  
based on said second medium; and  
outputting and displaying said multimedia presentation to a user at said receiver station based on said step of controlling such that content of said first medium has a predetermined relationship to said information based on said second medium and said content of said first medium explains a significance of said information based on said second medium.

21. (Previously presented) The method of claim 20, wherein said first medium comprises a television program including video and audio.

22. (Canceled)

23. (Previously presented) The method of claim 20, wherein said first medium comprises a television program including video and audio and wherein said plurality of signals is included in a multichannel cable transmission and includes said digital data channel.

24. (Currently amended) A method of outputting a multimedia presentation at a receiver station, said method comprising the steps of:

Art Unit: 2628

receiving a first medium including a television program in a first channel of a multichannel cable transmission;

comparing, using a processor, first information, wherein said first information comprises at least one user response to displayed content of said television program, stored at said receiver station to second information corresponding to content of said television program to determine whether to receive, from a source different from that of said first medium, in a second channel of said multichannel cable transmission and present a second medium based on third information, wherein said third information is related to but different from both said first information and said second information ~~received from a source different from that of said first medium in a second channel of said multichannel cable transmission;~~

coordinating, using said processor, presentation, based on said determination to receive said second medium, of said television program of said multimedia presentation with presentation of said second medium of said multimedia presentation; and

outputting and displaying said television program of said multimedia presentation only at a first output device at said receiver station, and outputting and displaying said second medium only at a second output device at said receiver station.

25. (Previously presented) The method of claim 24, wherein said second output device comprises a printer.

Art Unit: 2628

26. (Currently amended) A method of outputting a multimedia presentation at a receiver station adapted to receive a plurality of media, said method comprising the steps of:

receiving, at said receiver station, at least two of said plurality of media from different sources, a first medium of said plurality of media being received in a plurality of signals and a second medium of said plurality of media being received in a digital data channel from a remote transmitter station;

~~processing said at least two of said plurality of media in order to output said multimedia presentation;~~

identifying, using a processor, content of a first ~~and content of a second medium~~ of said at least two of said plurality of media ~~based on said step of processing, said second of said at least two of said plurality of media received in a digital data channel from a remote transmitter station by:~~

processing each signal of said plurality of signals, each signal of said plurality of signals including an identifier, and

comparing each processed identifier to a predetermined identifier, said predetermined identifier being determined prior to receiving said plurality of media and identifying content of said first medium;

processing only a signal of said plurality of signal that includes an identifier that matches said predetermined identifier to provide said first medium;

storing said first ~~of said at least two of said plurality of media~~ medium at said receiver station; and

identifying content of said second medium;

processing, based on said content of said second medium, said second medium to generate information based on said second medium;

outputting and displaying said multimedia presentation based on said step of identifying, said multimedia presentation comprising a coordinated presentation of information included in said first of said at least two of said plurality of media medium and said generated information based on said second of said at least two of said plurality of media medium, said information included in said first medium having a predetermined relationship to said generated information based on said second medium and said information included in said first medium explaining a significance of said generated information based on said second medium.

27. (Previously presented) The method of claim 26, said method further comprising the step of storing said information based on said second of said at least two of said plurality of media at said receiver station.

28. (Canceled)

29. (Currently amended) A method of outputting a multimedia presentation at a receiver station having an output device, said method comprising the steps of:

receiving a plurality of signals from a source external to said receiver station;

identifying, using a processor, content of a first medium, said first medium to be output in said multimedia presentation by;

processing said plurality of signals, each of said plurality of signals including an identifier, and  
comparing each said identifier with a predetermined identifier, said predetermined identifier determined prior to receiving said plurality of signals and identifying content of said first medium;  
processing only a signal of said plurality of signal that includes an identifier that matches said predetermined identifier to provide said first medium;  
processing a control signal at said receiver station that causes execution of processor instructions to process data received in a second medium from an external source to create a series of discrete video images, wherein said second medium is not included in said plurality of signals;  
causing a video image of said series of discrete video images to be output and displayed subsequent to said step of identifying; and  
combining said outputted video image into said multimedia presentation at said output device based on said step of causing to be output, said multimedia presentation comprising said first medium and said outputted video image of said series of discrete video images, said first medium having a predetermined relationship to said series of discrete video images and said first medium explaining a significance of said video image of said series of discrete video images.

30. – 32. (Canceled)

33. (Currently amended) A method of outputting a multimedia presentation at a receiver station, said method comprising the steps of:

Art Unit: 2628

receiving a first signal comprising a television program from a remote transmitter station;

outputting ~~said first signal~~ and displaying content of said television program received in said first signal only at a first output device at said receiver station;

receiving a user response to said displayed content of said television program from ~~based on~~ said step of outputting;

comparing, using a processor, said user response to information corresponding to content of said first signal at said receiver station;

tuning, under control of said processor, said receiver station to receive, from a source different from that of said first signal, a second signal ~~based on~~ only when a match between said user response and said content of said first signal is determined to exist in said step of comparing; and

outputting and displaying information included in said second signal ~~to a printer only at a second output device at said receiver station~~, said information included in said second signal related to but different from information included in said first signal;

wherein said multimedia presentation comprises said information included in said first signal and said information included in said second signal.

34. (Previously presented) The method of claim 33, further comprising the step of transmitting information from said receiver station based on said step of receiving said user response.

35. (Canceled)

36. (Previously presented) The method of claim 34, wherein said transmitted information is transmitted by telephone.

37. (Currently amended) A multimedia presentation apparatus comprising:

at least one receiver ~~for receiving~~ that receives a plurality of signals from a source external to said multimedia presentation apparatus, said plurality of signals including at least two media which include a first medium received in a digital data channel;

a microcomputer that stores information from said first medium in a storage medium at said receiver station, determines content of a each received ~~second medium of said at least two media~~ received after said first medium in said plurality of signals and coordinates a presentation using said information with a presentation of ~~said a~~ second medium based on said microcomputer determining content of said second medium by processing an identifier which identifies said content of each of said medium received after said first medium and comparing said processed identifier to a predetermined identifier, wherein said predetermined identifier is determined at a time prior to receiving said plurality of signals and said second medium includes an identifier that matches said predetermined identifier; and

at least one output device operatively connected to said at least one receiver and said microcomputer ~~for outputting~~ that outputs and displays a multimedia presentation to a user at said multimedia presentation apparatus based on said coordinating such that said presentation using said information

Art Unit: 2628

has a predetermined relationship to said content of said second medium and said content of said second medium explains a significance of said presentation using said information.

38. (Currently amended) The apparatus of claim 37, wherein said microcomputer determines said content of said second medium by processing an identifier transmitted from said source external to said multimedia presentation apparatus, said multimedia presentation apparatus further comprising a detector operatively connected to said microcomputer ~~for detecting~~ that detects said identifier.

39. (Currently amended) The apparatus of claim 38, wherein said multimedia presentation apparatus receives a multichannel signal, said multimedia presentation apparatus further comprising a converter operatively connected to said at least one receiver ~~for communicating~~ that communicates a portion of said multichannel signal.

40. (Currently amended) The apparatus of claim 39, further comprising a first controlled device operatively connected to said microcomputer ~~for causing~~ that causes said converter to select said second medium.

41. (Currently amended) The apparatus of claim 40, further comprising a storage device operatively connected to said converter ~~for storing~~ that stores said second medium.

42. (Currently amended) The apparatus of claim 41 further comprising a second controlled device operatively connected to said



Art Unit: 2628

microcomputer ~~for causing~~ that causes said storage device to store said second medium.

43. – 66. (Canceled)

67. (Previously presented) The apparatus of claim 37, wherein said second medium comprises a television program including video and audio.

68. (Canceled)

69. (Previously presented) The apparatus of claim 37, wherein said second medium comprises a television program including video and audio and wherein said microcomputer receives said digital data channel in a multichannel cable transmission including said second medium.

70. (Currently amended) A multimedia presentation apparatus comprising:

a receiver ~~for receiving~~ that receives a first subset of a plurality of signals from an external source, each signal of said first subset of said plurality of signals including an identifier, wherein said plurality of signals ~~including~~ includes a first medium and a second medium of a multimedia presentation and said subset of said plurality of signal comprises a plurality of said plurality of signals;

a microcomputer ~~for identifying~~ that identifies content of said first medium ~~based on said identifier~~ by processing each identifier of said subset of said plurality of signals and comparing each processed identifier to a predetermined identifier, wherein said predetermined identifier is determined at a time prior to receiving said plurality of signals and identifies content of said first medium, that processes only a signal of said subset of said plurality of signals that includes an

Art Unit: 2628

identifier that matches said predetermined identifier, ~~receiving that receives~~ said second medium in a digital data channel transmitted from a source external to said multimedia presentation apparatus, wherein said second medium is not included in said subset of said plurality of signals, for identifying that identifies content of said second medium, ~~for generating that generates~~ information based on said second medium based on said identifying content of said second medium and ~~for executing that executes~~ processor instructions ~~to enable a coordinated that coordinates~~ presentation of said first medium and said information based on said second medium such that content of said first medium has a predetermined relationship to said information based on said second medium and said content of said first medium explains a significance of said information based on said second medium; and

an output device ~~for outputting that outputs and displays~~ said coordinated presentation of said first medium and information from said second medium.

71. (Previously presented) The apparatus of claim 70, wherein said first medium comprises a television program including video and audio.

72. (Canceled)

73. (Previously presented) The apparatus of claim 70, wherein said first medium comprises a television program including video and audio and wherein said plurality of signals is included in a multichannel cable transmission and includes said digital data channel.

74. (Currently amended) A multimedia presentation apparatus comprising:

Art Unit: 2628

a receiver ~~for receiving~~ that receives a first medium including a television program in a first channel of a multichannel cable transmission;

a microcomputer ~~for storing~~ that stores first information including at least one user response to displayed content of said television program, ~~comparing~~ compares said first information to second information corresponding to content of said television program to determine whether to receive, from a source different from that of said first medium, in a second channel of said multichannel cable transmission and present a second medium based on third information, wherein said third information received from a different source than that of said first medium in a second channel of said multichannel cable transmission is related to but different from both said first information and said second information, and ~~coordinating~~ coordinates presentation, based on said determination to received said second medium, of said television program with presentation of said second medium;

a first output device ~~for outputting~~ that outputs and displays only said television program; and

a second output device ~~for outputting~~ that outputs and displays only said second medium.

75. (Previously presented) The apparatus of claim 74, wherein said second output device comprises a printer.

76. (Currently amended) A multimedia presentation apparatus comprising:

Art Unit: 2628

a first receiver ~~for receiving that receives~~ a first medium a plurality of signals;

a second receiver ~~for receiving that receives~~ a second medium in a digital data channel from a source external to said multimedia presentation apparatus;

a microcomputer ~~for identifying that identifies~~ content of ~~said a~~ first medium ~~and by processing each signal of said plurality of signals, each signal of said plurality of signals including an identifier, and comparing each said identifier to a predetermined identifier, said predetermined identifier determined prior to receiving said plurality of signals and identifying content of said first medium, identifying that identifies~~ content of said second medium, ~~controlling that controls~~ storage of ~~information based on said second first~~ medium, and ~~controlling that controls~~, based on said identifying content of said second medium, generation of information based on said second medium by processing said second medium, that controls coordinating a multimedia presentation comprising information included in said first medium and said generated information based on said second medium, said information included in said first medium having a predetermined relationship to said generated information based on said second medium and said information included in said first medium explaining a significance of said generated information based on said second medium; and

an output device ~~for outputting that outputs and displays~~ said multimedia presentation.

77. (Canceled)

78. (Currently amended) The apparatus of claim 76, wherein said microcomputer controls storage of said ~~first~~ second medium.

79. (Previously presented) The apparatus of claim 76, wherein said first medium comprises a television program including video and audio.

80. (Canceled)

81. (Previously presented) The apparatus of claim 76, wherein said first medium comprises a television program including video and audio and wherein a multichannel cable transmission includes said first medium and said digital data channel.

82. (Currently amended) The method of claim 26, wherein said first ~~of said at least two of said plurality of media~~ medium comprises a television program including video and audio.

83. (Canceled)

84. (Currently amended) The method of claim 26, wherein said first ~~of said at least two of said plurality of media~~ medium comprises a television program including video and audio and wherein said plurality of media is included in a multichannel cable transmission including said digital data channel.

85. (Currently amended) A multimedia presentation apparatus comprising:

a receiver that receives a plurality of signals from a source external to said multimedia presentation apparatus;

a microcomputer for identifying that identifies content of a first medium by processing said plurality of signals, each of said plurality of signals including an

Art Unit: 2628

identifier, and comparing each said identifier with a predetermined identifier, said predetermined identifier determined prior to receiving said plurality of signals and identifying content of said first medium, that processes only a signal of said plurality of signal that includes an identifier that matches said predetermined identifier, creating that creates a series of discrete video images by executing processor instructions to process a control signal and data received in a second medium from an external source, wherein said second medium is not included in said plurality of signals, and then causing that causes a video image of said series of discrete video images to be output and displayed;

an output device at which said video image is combined into said multimedia presentation, said multimedia presentation comprising said first medium and said video image, said first medium having a predetermined relationship to said series of discrete video images and said first medium explaining a significance of said video image of said series of discrete video images.

86. (Cancelled)

87. (Previously presented) The apparatus of claim 85, wherein said first medium comprises a television program including video and audio.

88. (Canceled)

89. (Previously presented) The apparatus of claim 85, wherein said second medium is received in a digital data channel.

90. (Previously presented) The apparatus of claim 85, wherein said first medium comprises a television program including video and audio and

Art Unit: 2628

wherein a multichannel cable transmission includes said first medium and a digital data channel including said second medium.

91. (Previously presented) The method of claim 29, wherein said first medium comprises a television program including video and audio.

92. (Canceled)

93. (Previously presented) The method of claim 29, wherein said second medium is received in a digital data channel.

94. (Previously presented) The method of claim 29, wherein said first medium comprises a television program including video and audio and wherein a multichannel cable transmission includes said first medium and a digital data channel including said second medium.

95. (Currently amended) A multimedia presentation apparatus comprising:

a first receiver ~~for receiving~~ that receives a first signal including television programming from a remote transmitter station;

a first output device that outputs and displays only content of said television programming;

a second receiver ~~for receiving~~ that receives a second signal, information included in said second signal being related to but different from information included in said first signal;

a second output device that outputs and displays only said information of said second signal

a microcomputer ~~for receiving that receives~~ a user response, based on outputting said first signal, to said displayed content of said television programming, comparing that compares said user response to information corresponding to content of said first signal, and ~~based on said comparison that~~ controls tuning of said second receiver to receive said second signal, from a source different from that of said first signal, only when a match between said user response and said content of said first signal is determined to exist;

wherein said apparatus presents a multimedia presentation comprising said information included in said first signal ~~output at a first output device~~ and said information included in said second signal ~~output at a printer~~.

96. (Currently amended) The apparatus of claim 95, further comprising a transmitter ~~for transmitting that transmits~~ information from said microcomputer based on said user response.

97. (Previously presented) The apparatus of claim 96, wherein said transmitter transmits by telephone connection.

98. (Canceled)

99. (Previously presented) The apparatus of claim 95, wherein said first signal includes a television program including video and audio.

100. (Previously presented) The apparatus of claim 99, wherein said first signal and said second signal are received in a multichannel cable transmission.

101. (Previously presented) The method of claim 33, wherein said first signal includes a television program including video and audio.



Art Unit: 2628


102. (Previously presented) The method of claim 101, wherein said first signal and said second signal are received in a multichannel cable transmission.

103. (Canceled)

104. (Canceled)

105. (New) The method of claim 33<sub>2</sub> wherein said second output device includes a printer.

106. (New) The apparatus of claim 95<sub>1</sub> wherein said second output device includes a printer.

<b>Issue Classification</b>  	<b>Application/Control No.</b>  08487526	<b>Applicant(s)/Patent Under Reexamination</b>  HARVEY ET AL.
	<b>Examiner</b>  PETER-ANTHONY PAPPAS	<b>Art Unit</b>  2628

[illegible]

Claims renumbered in the same order as presented by applicant						CPA		T.D.		R.1.47					
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
	1	9	17	24	33		49		65	46	81	53	97		
1	2	10	18	25	34		50		66	18	82		98		
	3		19		35		51	36	67		83	54	99		
	4	11	20	26	36		52		68	19	84	55	100		
2	5	12	21	30	37		53	37	69	47	85	27	101		
3	6		22	31	38		54	38	70		86	28	102		
	7	13	23	32	39		55	39	71	48	87		103		
4	8	14	24	33	40		56		72		88		104		
5	9	15	25	34	41		57	40	73	49	89	29	105		
6	10	16	26	35	42		58	41	74	50	90	56	106		
	11	17	27		43		59	42	75	21	91				
	12		28		44		60	43	76	22	92				
	13	20	29		45		61		77		93				
	14		30		46		62	44	78	23	94				
7	15		31		47		63	45	79	51	95				
8	16		32		48		64		80	52	96				

NONE		<b>Total Claims Allowed:</b>	
(Assistant Examiner)	(Date)	56	
/PETER-ANTHONY PAPPAS/ Primary Examiner.Art Unit 2628	02/14/2010	O. G. Print Claim(s)	O. G. Print Figure
(Primary Examiner)	(Date)	2	1A, 1B, 1C

Request for Certificate of Correction  
Patent No. **7,747,217**  
Attorney Docket No. **PMC-003 C201**  
Page 4 of 4

**EXHIBIT B.**



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/487,526	06/07/1995	JOHN C. HARVEY	PMC-003 C201	7792
70813	7590	03/08/2010		
GOODWIN PROCTER LLP 901 NEW YORK AVENUE, N.W. WASHINGTON, DC 20001			EXAMINER PAPPAS, PETER-ANTHONY	
			ART UNIT 2628	PAPER NUMBER
			NOTIFICATION DATE 03/08/2010	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

AAAlpha-Kpetewama@goodwinprocter.com

patentdc@goodwinprocter.com

finckcon@goodwinprocter.com

**Supplemental  
Notice of Allowability**

**Application No.**

08/487,526

**Examiner**

PETER-ANTHONY PAPPAS

**Applicant(s)**

HARVEY ET AL.

**Art Unit**

2628

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERIT IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/25/10.
2. ☒ The allowed claim(s) is/are 2,5,6,8-10,15-18,20,21,23-27,29,33,34,36-42,67,69-71,73-76,78,79,81,82,84,85,87,89-91,93-97,99-102,105 and 106.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of the:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).  
\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.  
**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application   |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>2/25/10</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                        |
|  | 9. <input type="checkbox"/> Other _____.  |

/Peter-Anthony Pappas/  
Primary Examiner, Art Unit 2628

### Interview Summary

**Application No.**

08/487,526

**Applicant(s)**

HARVEY ET AL.

**Examiner**

PETER-ANTHONY PAPPAS

**Art Unit**

2628

All participants (applicant, applicant's representative, PTO personnel):

(1) PETER-ANTHONY PAPPAS.

(3) \_\_\_\_.

(2) Carl L. Benson.

(4) \_\_\_\_.

Date of Interview: 25 February 2010.

Type: a) ☒ Telephonic b) ☐ Video Conference

c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: \_\_\_\_.

Claim(s) discussed: 76.

Identification of prior art discussed: \_\_\_\_.

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: A typo was identified in claim 76, as disclosed in the examiner's amendment mailed on 2/25/10, in which a word was inadvertently duplicated.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Peter-Anthony Pappas/  
Primary Examiner, Art Unit 2628

## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

#### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135, (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiner's Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner.  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

#### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Carl L. Benson on 2/25/10.

The application has been amended as follows:

- Claim 76, as disclosed in the examiner's amendment mailed on 2/25/10, line 3, replace "that receives a a plurality of signals" with --that receives a plurality of signals--.
2. Claims 2, 5, 6, 8-10, 15-18, 20, 21, 23-27, 29, 33, 34, 36-42, 67, 69-71, 73-76, 78, 79, 81, 82, 84, 85, 87, 89-91, 93-97, 99-102, 105 and 106 are allowed. See the comments disclosed in the examiner's amendment mailed on 2/25/10.
3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PETER-ANTHONY PAPPAS whose telephone number is (571) 272-7646. The examiner can normally be reached on M-F 9:00AM-5:30PM.



If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ulka Chauhan can be reached on 571-272-7782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Peter-Anthony Pappas/  
Primary Examiner, Art Unit 2628



## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 1 of 1

PATENT NO. : 7,747,217  
APPLICATION NO.: 08/487,526  
ISSUE DATE : June 29, 2010  
INVENTOR(S) : John C. Harvey, et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In claim 16, column 288, line 57, insert --by:-- such that the phrase reads "of said plurality of media by:"

In claim 34, column 291, line 20, delete "for storing"

In claim 35, column 291, line 24, delete "for causing"

In claim 38, column 291, line 38, delete "including"

### MAILING ADDRESS OF SENDER (Please do not use customer number below):

Goodwin Procter LLP  
901 New York Avenue, NW  
Washington, DC 20001

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

## Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.